

BILL NO. Z-80-04-24

ZONING MAP ORDINANCE NO. Z-Wrightmore

**AN ORDINANCE amending the City of  
Fort Wayne Zoning Map No. H-11.**

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M-3 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. H-11, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to-wit:

A part of the Southeast Quarter of the Southwest Quarter of Section 16, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at the South Quarter Corner of Section 16, Township 30 North, Range 12 East, Allen County, Indiana; thence West along the South line of said Section 16, said line also being the centerline of a public highway known as Engle Road, a distance of 421.50 feet to the point of beginning; thence continuing west along the said South line of Section 16, a distance of 200 feet; thence North 0° 07' East a distance of 858.00 feet to a point on the Southerly right-of-way line of the Norfolk & Western Railway Co. (Wabash Division); thence North 52° 44' 40" East along the said right-of-way line a distance of 251.66 feet; thence South 0° 07' West a distance of 1010.35 feet to the point of beginning, containing 4.289 acres of land more or less.

Subject to a public highway upon and over the South border there-of, occupied by Engle Road.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof. *(A.C.C.)*

APPROVED AS TO FORM AND  
LEGALITY APRIL , 1980.

Councilman

*J. E. Hoffman*  
JOHN E. HOFFMAN  
Sister M. Agnes

Read the first time in full and on motion by Eisbart,  
seconded by Gushee, and duly adopted, read the second time  
by title and referred to the Committee Population (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock M., E.S.T.

DATE: 4/22/80

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_, and duly adopted, placed on its  
seconded by \_\_\_\_\_, and duly adopted, placed on its  
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>EISBART</u>	_____	_____	_____	_____	_____
<u>GiaQUINTA</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	_____	_____
<u>SCHOMBURG</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: 4/22/80

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)  
(APPROPRIATION) ORDINANCE (RESOLUTION) No. \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

ATTEST: (SEAL)

CHARLES W. WESTERMAN - CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at the hour of  
\_\_\_\_\_ o'clock M., E.S.T.

Charles W. Westerman - CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of  
19\_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock M., E.S.T.

WINFIELD C. MOSES, JR.  
MAYOR

BILL NO. Z-80-04-24

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN  
ORDINANCE amending the City of Fort Wayne Zoning Map No. H-11

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE *WITHDRAWN* PASS.

BEN EISBART, CHAIRMAN

JOHN NUCKOLS, VICE CHAIRMAN

JAMES S. STIER

SAMUEL J. TALARICO

DONALD J. SCHMIDT

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 22, 1980, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-04-24; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 12, 1980; and,

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the agent representing the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN in accordance with the written request of the agent representing the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 12, 1980.

Certified and signed this  
16th day of May 1980.

*Ju. Joyce Schlatter*

Joyce Schlatter  
Secretary

6

**RECEIPT**

Date

1 April 1980 No. 10943.

Received From

Address

For

## ACCOUNT

## HOW PAID

AMT. OF  
ACCOUNT

CASH

AMT. PAID

CHECK

BALANCE  
DUEMONEY  
ORDER

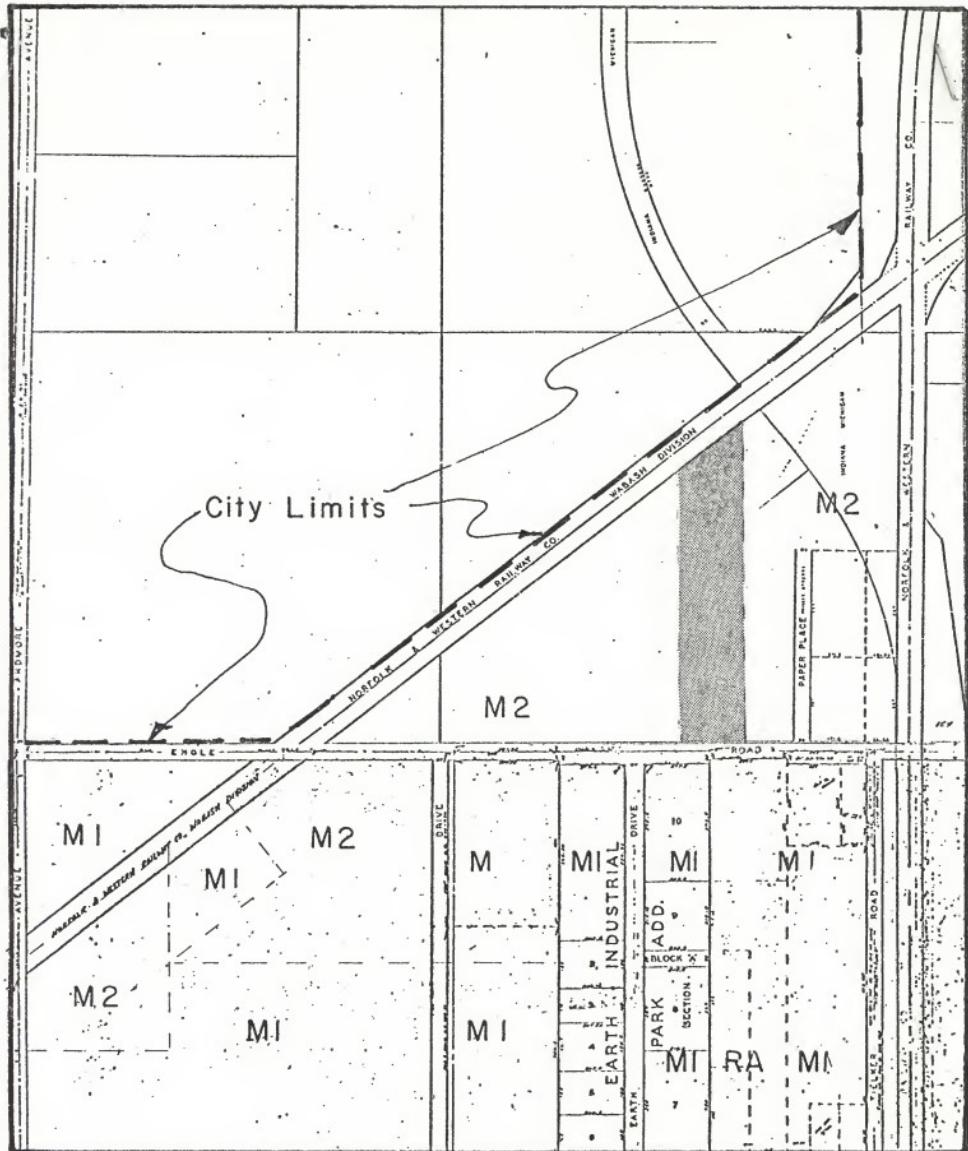
Dollars \$

500

By

Pax B.

CK 2085



REQUEST TO REZONE FROM M2 TO M3 ZONING

Map No. H-II

Z-80-04-24

DATE 4-2-80

March 21, 1980

City of Fort Wayne  
City Planning Commission  
8th Floor  
City-County Building  
Fort Wayne, Indiana 46802

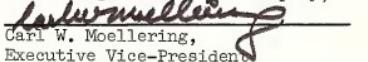
To Whom It May Concern;

The undersigned are the owners of substantially all of the property which abuts or is adjacent to the parcel of land owned by Moellering Construction Company, Inc, commonly known as 3400 Engle Road, Fort Wayne, Indiana, (legally known as: A Part of the Southeast Quarter of the Southwest Quarter of Section 16, Township 30 North, Range 12 East, Allen County, Indiana).

The undersigned consent to the petition filed by Moellering Construction Company, Inc. to reclassify said property from an M-2 District to an M-3 District.

Sincerely,

Moellering Construction Company, Inc.

  
Carl W. Moellering,  
Executive Vice-President

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March 21, 1980

City of Fort Wayne  
City Planning Commission  
8th Floor  
City-County Building  
Fort Wayne, Indiana 46802

To Whom It May Concern;

The undersigned are the owners of substantially all of the property which abuts or is adjacent to the parcel of land owned by Moellering Construction Company, Inc, commonly known as 3400 Engle Road, Fort Wayne, Indiana, (legally known as: A Part of the Southeast Quarter of the Southwest Quarter of Section 16, Township 30 North, Range 12 East, Allen County, Indiana).

The undersigned consent to the petition filed by Moellering Construction Company, Inc. to reclassify said property from an M-2 District to an M-3 District.

Sincerely,

  
James G. O'Rourke

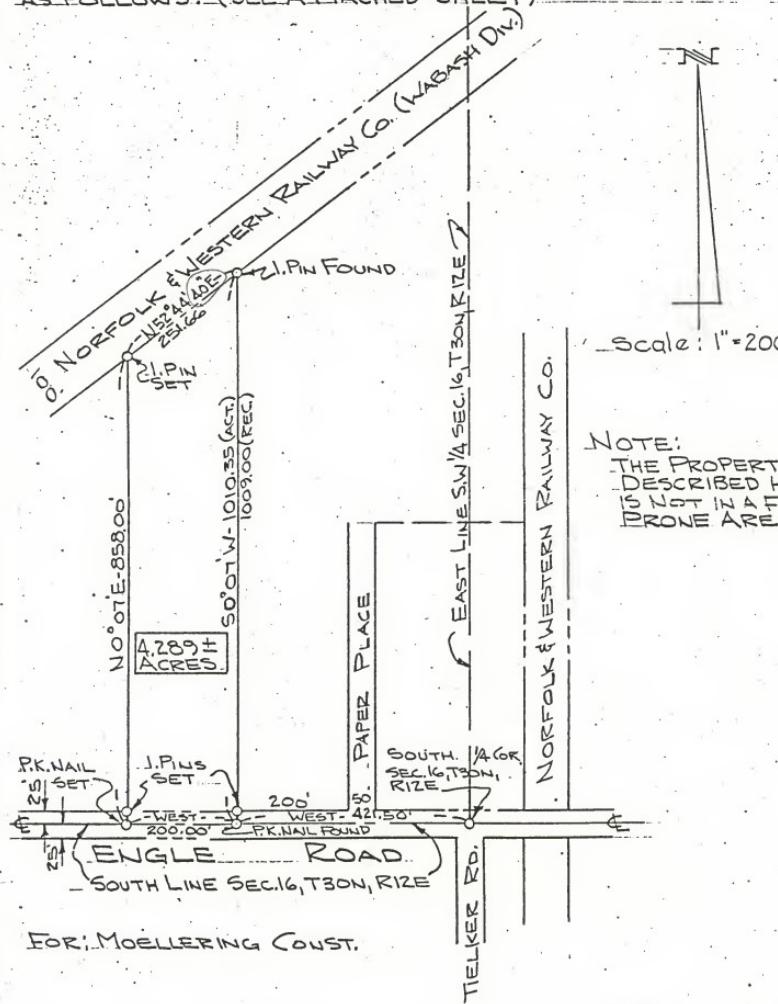
  
David J. Norton

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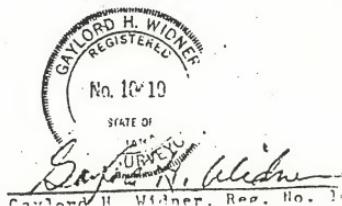
This document is a certificate that the undersigned Land Surveyor, registered under the laws of Indiana, has made a survey of land and real estate situated in Allen County, Indiana, in accordance with the plat thereof on file in the Office of the Recorder of said County and State. The land below described exists in full dimensions as shown herein in feet and is free from encroachments by adjoining landowners. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY: A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 30, NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: (SEE ATTACHED SHEET)



I hereby certify above survey to be correct.

Surveyed JAN. 12, 1980



May 14, 1980

City Planning Commission  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

RE: Application of Moellering Construction  
Company, Inc. for zoning change on  
Engle Road

Dear Commission Members:

Following our appearance at the City Planning Commission meeting on Monday, May 12, 1980, we had the opportunity to review our proposed use of the real estate on Engle Road. We have determined that the present M-2 zoning of the real estate is appropriate for the anticipated activity.

Our use of the real estate will be for the storage of finished steel being held for resale. Such use is permitted by the present zoning designation for the real estate.

Accordingly, we request that our petition for rezoning of the Engle Road real estate be withdrawn from your consideration.

Thank you for your cooperation.

Sincerely,

MOELLERING CONSTRUCTION COMPANY, INC.

By: David K. Seybert  
David K. Seybert, Agent

## PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. \_\_\_\_\_

DATE FILED \_\_\_\_\_

INTENDED USE \_\_\_\_\_

I/We Moellering Construction Company, Inc.  
(Applicant's Name or Names)do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an M-2 District to a/an M-3 District the property described as follows:

A Part of the Southeast Quarter of the Southwest Quarter of Section 16, Township 30 North, Range 12 East, Allen County, Indiana, More Particularly Described As Follows: Commencing at the South Quarter Corner of Section 16, Township 30 North, Range 12 East, Allen County, Indiana; Thence West Along the South Line of Said Section 16, Said Line Also Being the Centerline of a Public Highway Known as Engle Road, a Distance of 421.50 Feet to the Point of Beginning; Thence Continuing West Along the Said South Line of Section 16, a Distance of 200 Feet; Thence North (Legal Description) If additional space is needed, use reverse side.

The eastern 4.289 Acres of the 14.6 Acre tract located at 3400 Engle Road, Fort Wayne, Indiana Original Deed #75-24504 (11-12-75)

## (General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Moellering Construction Company, Inc. 3400 Engle Road, Fort Wayne, Indiana(Name)(Address)Carl W. Moellering,Executive Vice-President

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

office 426-0555

David K. Seybert  
(Name)1206 West Lexington Avenue, Ft. Wayne, In. 46807 744-2960  
(Address & Zip Code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning &amp; Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

$0^{\circ} 07'$  East a Distance of 858.00 Feet to a Point on the Southerly Right-of-Way Line of the Norfolk & Western Railway Co. (Wabash Division); Thence North  $52^{\circ} 44' 40''$  East Along the Said Right-of-Way Line a Distance of 251.66 Feet; Thence South  $0^{\circ} 07'$  West a Distance of 1010.35 Feet to the Point of Beginning, Containing 4.289 Acres of Land More or Less.

Subject to a Public Highway Upon and Over the South Border There-of, Occupied by Engle Road.

Legal Description of property to be rezoned.

A Part of the Southeast Quarter of the Southwest Quarter of Section 16, Township 30 North,  
Range 12 East, Allen County, Indiana, More Particularly Described As Follows: Commencing at  
the South Quarter of Section 16, Township 30 North, Range 12 East, Allen County, Indiana;  
Thence West Along the South Line of Said Section 16, Said Line Also Being the Centerline of a  
Public Highway Known as Engle Road, a Distance of 421.50 Feet to the Point of Beginning; Thence  
Continuing West Along the Said South Line of Section 16, a Distance of 200 Feet; Thence North  
0° 07' East a Distance of 858.00 Feet to a Point on the Southerly Right-of-Way  
Line of the Norfolk & Western Railway Co. (Wabash Division); Thence North 52° 44' 40" E  
East Along the Said Right-of-Way Line a Distance of 251.66 Feet; Thence South  
0° 07' West A Distance of 1010.35 Feet to the Point of Beginning, Containing  
4.289 Acres of Land More or Less.

Subject to a Public Highway Upon and Over the South Border There-of, Occupied  
by Engle Road.

Owners of Property

Moellering Construction Company, Inc. 3400 Engle Rd., Ft. Wayne, Indiana 46809

(Name)

(Address)

*Carl W. Moellering*  
(Signature)  
Carl W. Moellering,  
Executive Vice-President

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

TITLE OF ORDINANCE Zoning Ordinance Amendment3-80-04-24DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&PSYNOPSIS OF ORDINANCE The eastern 4.289 acres of the 14.6 tract located at3400 Engle Road, Fort Wayne, IN.EFFECT OF PASSAGE Property is now zoned M-2 - General Industrial. Property will become M-3 -Heavy Industrial.EFFECT OF NON-PASSAGE Property will remain M-2 - General Industry.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

ASSIGNED TO COMMITTEE (J.N.) Regulations



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802  
city plan commission

16 May 1980

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.

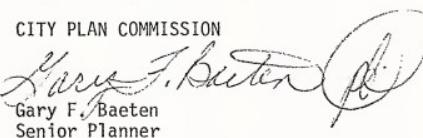
1. Bill No. Z-80-04-24

This ordinance was requested to be WITHDRAWN by written request of the petitioner, as attached to the ordinance.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

  
Gary F. Baeten  
Senior Planner

GFB:pb

Attachments